

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on March 12, 1999 at 8:10 A.M., in Room 312 - 2 Capitol.

ROLL CALL

Members Present:

Rep. Tom Zook, Chairman (R)
Rep. Joe Quilici, Vice Chairman (D)
Rep. Steve Vick, Vice Chairman (R)
Rep. Beverly Barnhart (D)
Rep. Ernest Bergsagel (R)
Rep. Peggy Bergsagel (R)
Rep. Stan Fisher (R)
Rep. Dick Haines (R)
Rep. Royal Johnson (R)
Rep. Betty Lou Kasten (R)
Rep. Matt McCann (D)
Rep. Red Menahan (D)
Rep. Ray Peck (D)
Rep. Lila Taylor (R)
Rep. Joe Tropila (D)
Rep. John Witt (R)

Members Excused: None.

Members Absent: Rep. Rosalie (Rosie) Buzzas (D)
Rep. John Cobb (R)

Staff Present: Joanne Gunderson, Committee Secretary
Taryn Purdy, Legislative Fiscal Division

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. These minutes were recorded on a Sony BI-85 machine, references are measured in inches rather than minutes.

Committee Business Summary:

Hearing(s) & Date Posted: HB 7, HB 11, HB 313, HB 577, HB 649,
SB 224, 3/9/1999
Executive Action: SB 170, HB 4, HB 7, HB 11, HB 649

HEARING ON SB 224

Opening Statement by Sponsor:

Sen. Tom Keating, SD 5, presented SB 224.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 85}

Proponents' Testimony:

Ellen Engstedt, Don't Gamble With the Future

{Tape : 1; Side : A; Approx. Time Counter : 85 - 123}

Bob and Paula Cook, Lakeside

{Tape : 1; Side : A; Approx. Time Counter : 123 - 257}

Dennis Casey, Gaming Industry Association

{Tape : 1; Side : A; Approx. Time Counter : 257 - 310}

Steve Bullock, Assistant Attorney General Department of Justice

{Tape : 1; Side : A; Approx. Time Counter : 310 - 350}

Mark Staples, Montana Taverns Association

{Tape : 1; Side : A; Approx. Time Counter : 350 - 448}

Dan Anderson, Department of Health and Human Services

{Tape : 1; Side : A; Approx. Time Counter : 448 - 494}

Candace Payne, Rimrock Foundation

EXHIBIT(aph56a01)

{Tape : 1; Side : A; Approx. Time Counter : 494 - Side : B;

Approx. Time Counter : 9; Comments : Also spoke for Mona Jamison}

Jerry Driscoll, Independent Machine Operators

{Tape : 1; Side : B; Approx. Time Counter : 9 - 32}

Andrea Merrill, Mental Health Association of Montana **EXHIBIT**(aph56a02)

{Tape : 1; Side : B; Approx. Time Counter : 32 - 57}

Sharon Hoff, Montana Catholic Conference

EXHIBIT(aph56a03)

{Tape : 1; Side : B; Approx. Time Counter : 57 - 87}

Mary , Montana Clinical Health Care Association

{Tape : 1; Side : B; Approx. Time Counter : 87 - 109; Comments :
This witness did not speak clearly into the microphone nor did
she sign the visitors register.}

Gloria Hermanson, Montana Psychological Association

{Tape : 1; Side : B; Approx. Time Counter : 109 - 119}

David Mihelic, Governor's Office

{Tape : 1; Side : B; Approx. Time Counter : 119 - 124}

Rhonda Carpenter, Montana Coin Machine Operators

{Tape : 1; Side : B; Approx. Time Counter : 124 - 133}

Ronna Alexander, Powerhouse Technologies

{Tape : 1; Side : B; Approx. Time Counter : 133 - 147}

Betty Waddell, Montana Association of Churches

{Tape : 1; Side : B; Approx. Time Counter : 147 - 159}

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 147 - Tape : 2; Side : A, Approx. Time Counter : 259}

Closing by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 259 - 450}

HEARING ON HB 313

Opening Statement by Sponsor:

Rep. Bob Raney, HD 26, presented HB 313.

EXHIBIT (aph56a04)

{Tape : 2; Side : A; Approx. Time Counter : 0 - 89}

Proponents' Testimony:

Kate Cholewa, Montana Women's Lobby

EXHIBIT (aph56a05)

{Tape : 2; Side : A; Approx. Time Counter : 89 - ~~280~~ **EXHIBIT** (aph56a06)

EXHIBIT (aph56a07)

Michelle Lee, Livingston

EXHIBIT (aph56a08)

{Tape : 2; Side : A; Approx. Time Counter : 280 ~~EXHIBIT~~ **EXHIBIT** (aph56a09)

Carson Strege, Montana People's Action

{Tape : 2; Side : A; Approx. Time Counter : 428 - 499}

Wendy Young, WEEL

Susan Kidd, East Helena

Ruth Stoneman, Bozeman

Perry Hofferber, Bozeman

Betty Waddell, Montana Association of Churches

Sharon Hoff, Montana Catholic Conference

Opponents' Testimony: **EXHIBIT**(aph56a10)

Hank Hudson, Department of Health and Human Services, DPHHS

Mary Ann Wellbank, Administrator of Child Enforcement Division,
DPHHS

*{Tape : 3; Side : A; Approx. Time Counter : 0 - 490; Comments :
Side A of this tape did not record and is blank.}*

Informational Testimony: None.

Questions from Committee Members and Responses:

*{Tape : 3; Side : B; Approx. Time Counter : 89 - 441; Comments :
Exhibit 11 was presented without testimony.}* **EXHIBIT**(aph56a11)

HEARING ON HB 11

Opening Statement by Sponsor:

Rep. Matt McCann, HD 92, presented HB 11.

*{Tape : 4; Side : A; Approx. Time Counter : 75 - 100; Comments :
This was a referred bill, therefore a full hearing was not
necessary.}*

Proponents' Testimony:

Jim Edgcomb, Department of Commerce

{Tape : 4; Side : A; Approx. Time Counter : 100 - 193}

Erik Griffin, Lewis and Clark County

{Tape : 4; Side : A; Approx. Time Counter : 193 - 200}

Dan McCauley, Montana Society of Engineers

{Tape : 4; Side : A; Approx. Time Counter : 200 - 211}

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 4; Side : A; Approx. Time Counter : 211 - 286}

Closing by Sponsor:

{Tape : 4; Side : A; Approx. Time Counter : 286 - 306}

EXECUTIVE ACTION ON HB 11

Motion: REP. JOHNSON moved that HB 11 DO PASS.

Motion/Vote: REP. JOHNSON moved that HB 11 BE AMENDED. Motion carried unanimously.

Motion/Vote: REP. JOHNSON moved that HB 11 DO PASS AS AMENDED. Motion carried unanimously.

{Tape : 4; Side : A; Approx. Time Counter : 306 - 335; Comments : The committee recessed until 3:15 PM.}

HEARING ON HB 577

Opening Statement by Sponsor:

Rep. Bob Story, HD 24, presented HB 577.

{Tape : 4; Side : A; Approx. Time Counter : 335 - 394}

Proponents' Testimony:

Leo McDonnell, R-Calf, Columbus

{Tape : 4; Side : A; Approx. Time Counter : 394 - Side : B; Approx. Time Counter : 065}

Lorna Karn, Montana Farm Bureau

EXHIBIT(aph56a12)

{Tape : 4; Side : B; Approx. Time Counter : 065 - 091}

Dennis McDonald, R-Calf, Melville

{Tape : 4; Side : B; Approx. Time Counter : 91 - 220}

Joe Barrett, Augusta

{Tape : 4; Side : B; Approx. Time Counter : 220 - 230}

Ron deYong, Montana Grain Growers, Montana Farmers Union

{Tape : 4; Side : B; Approx. Time Counter : 230 - 272}

Opponents' Testimony:

Ed Lord, Philipsburg

EXHIBIT(aph56a13)

{Tape : 4; Side : B; Approx. Time Counter : 272 - 329}

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 4; Side : B; Approx. Time Counter : 329 - Tape : 5; Side : A; Approx. Time Counter : 104; Comments: Rep. Vick assumed the chair as acting chairman.}

Closing by Sponsor:

{Tape : 5; Side : A; Approx. Time Counter : 104 - 172}

HEARING ON HB 649

Opening Statement by Sponsor:

Rep. Matt McCann, HD 92, presented HB 649. **EXHIBIT**(aph56a14)

{Tape : 5; Side : A; Approx. Time Counter : 172 - 200}

Proponents' Testimony:

Tom O'Connell, Department of Administration

{Tape : 5; Side : A; Approx. Time Counter : 200 - 219}

Cathy Conover, MSU

{Tape : 5; Side : A; Approx. Time Counter : 219 - 229}

William McCarthy, U of M

{Tape : 5; Side : A; Approx. Time Counter : 229 - 243}

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 5; Side : A; Approx. Time Counter : 243 - 384}

Closing by Sponsor:

{Tape : 5; Side : A; Approx. Time Counter : 384 - 401}

HEARING ON HB 7

Opening Statement by Sponsor:

Rep. Matt McCann, HD 92, presented HB 7.

{Tape : 5; Side : A; Approx. Time Counter : 401 - 427}

Proponents' Testimony:

EXHIBIT(aph56a15)

John Tubbs, Department of Natural Resources and Conservation

EXHIBIT(aph56a16)

*{Tape : 5; Side : A; Approx. Time Counter : 427 - 479; Comments :
This was a referred bill and did not require a full hearing.}*

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 5; Side : A; Approx. Time Counter : 479 - Side : B;
Approx. Time Counter : 075}

Closing by Sponsor:

{Tape : 5; Side : B; Approx. Time Counter : 75 - 90}

EXECUTIVE ACTION ON HB 7

Motion: REP. JOHNSON moved that HB 7 DO PASS.

Motion/Vote: REP. JOHNSON moved that HB 7 BE AMENDED. Motion
carried unanimously. **EXHIBIT**(aph56a17)

{Tape : 5; Side : B; Approx. Time Counter : 90 - 100; Comments :
Amendment numbered 0701.}

Motion/Vote: REP. JOHNSON moved that HB 7 BE AMENDED(per Exhibit
16). Motion carried unanimously.

{Tape : 5; Side : B; Approx. Time Counter : 100 - 104}

Motion: REP. JOHNSON moved that HB 7 DO PASS AS AMENDED.

Discussion:

{Tape : 5; Side : B; Approx. Time Counter : 104 - 160; Comments :
The vote on this motion was suspended for further discussion and
clarification of the subcommittee's action on this amendment.}

Motion/Vote: REP. JOHNSON moved that HB 7 DO PASS AS AMENDED.
Motion carried unanimously.

{Tape : 5; Side : B; Approx. Time Counter : 160 - 165}

EXECUTIVE ACTION ON HB 649

Motion: REP. JOHNSON moved that HB 649 DO PASS.

Motion: REP. MCCANN moved that HB 649 BE AMENDED according to
Exhibit 14 and including HBs 20 and 26 to the amendment.

{Tape : 5; Side : B; Approx. Time Counter : 165 - 200}

Discussion:

{Tape : 5; Side : B; Approx. Time Counter : 200 - 347; Comments :
Rep. McCann withdrew the amendment.}

Motion: REP. E. BERGSAGEL moved that HB 649 BE AMENDED with a conceptual amendment as a substitute for Exhibit 14.

{Tape : 5; Side : B; Approx. Time Counter : 347 - 353}

Discussion:

{Tape : 5; Side : B; Approx. Time Counter : 353 - 447}

Vote: Motion for the conceptual amendment failed 6-12 by Roll Call Vote.

{Tape : 5; Side : B; Approx. Time Counter : 447 - 490}

Motion/Vote: REP. E. BERGSAGEL moved that HB 649 DO PASS. Motion carried unanimously.

{Tape : 6; Side : A; Approx. Time Counter : 0 - 35; Comments : Rep. McCann suggested suspending action on the bill prior to this motion.}

EXECUTIVE ACTION ON SB 170

Motion: REP. E. BERGSAGEL moved that SB 170 BE CONCURRED IN.

Motion: REP. E. BERGSAGEL moved that SB 170 BE AMENDED by striking Sections 3 and 4.

Discussion:

{Tape : 6; Side : A; Approx. Time Counter : 35 - 88}

Vote: Motion carried unanimously.

Discussion:

{Tape : 6; Side : A; Approx. Time Counter : 88 - 110}

Motion: REP. JOHNSON moved that SB 170 BE AMENDED to include a reporting requirement from the Legislative Finance Committee.

Discussion:

{Tape : 6; Side : A; Approx. Time Counter : 110 - 143; Comments : Rep. Johnson withdrew the motion to amend.}

Discussion:

{Tape : 6; Side : A; Approx. Time Counter : 143 - 221; Comments : Discussion on the bill.}

Motion: REP. MCCANN moved that SB 170 BE AMENDED to strike Section 2 of the bill.

Discussion:

{Tape : 6; Side : A; Approx. Time Counter : 221 - 263}

Vote: Motion failed 9-9 by Roll Call Vote.

{Tape : 6; Side : A; Approx. Time Counter : 263 - 294}

Motion: REP. HAINES moved that SB 170 BE AMENDED.

Discussion:

{Tape : 6; Side : A; Approx. Time Counter : 294 - 437}

Substitute Motion: REP. E. BERGSAGEL made a substitute motion that SB 170 BE AMENDED to strike Section 2.

Discussion:

{Tape : 6; Side : A; Approx. Time Counter : 437 - 479; Comments : Rep. Peck called for a point of order. Reps. E.Bergsagel and Haines withdrew their motions to amend.}

Motion/Vote: REP. MCCANN moved that the amendment to strike Section 2 be reconsidered. Motion carried unanimously.

{Tape : 6; Side : A; Approx. Time Counter : 479 - 484}

Motion/Vote: REP. BERGSAGEL moved that SB 170 BE AMENDED by striking Section 2. Motion carried 12-6 with Barnhart, Buzzas, Fisher, Quilici, Witt and Tropila voting no.

{Tape : 6; Side : A; Approx. Time Counter : 484 - 490}

Motion/Vote: REP. BERGSAGEL moved that SB 170 BE CONCURRED IN AS AMENDED. Motion carried 13-5 with Buzzas, Barnhart, Fisher, Witt and Tropila voting no.

EXECUTIVE ACTION ON HB 4

Motion: REP. TAYLOR moved that HB 4 DO PASS. EXHIBIT(aph56a18)
{Tape : 6; Side : B; Approx. Time Counter : 0 - 10}

Motion/Vote: REP. TAYLOR moved that HB 4 BE AMENDED according to Exhibit 18 as explained in Exhibit 19. EXHIBIT(aph56a19)
Motion carried unanimously.

Motion: REP. TAYLOR moved that HB 4 BE AMENDED according to Exhibit 20. EXHIBIT(aph56a20)

Discussion:

{Tape : 6; Side : B; Approx. Time Counter : 10 - 109}

Vote: Motion carried 17-1 with Cobb voting no.
{Tape : 6; Side : B; Approx. Time Counter : 109 - 113}

Motion/Vote: REP. TAYLOR moved that HB 4 DO PASS AS AMENDED.
Motion carried 13-5 with P. Bergsagel, Cobb, Peck, Tropila, and
Vick voting no. **EXHIBIT**(aph56a21)
{Tape : 6; Side : B; Approx. Time Counter : 113 - 158; Comments :
Exhibit 21 was given in response to the committee's request and
was distributed without testimony.}

ADJOURNMENT

Adjournment: 5:45 P.M.

REP. TOM ZOOK, Chairman

JOANNE GUNDERSON, Secretary

TZ/JG

EXHIBIT (aph56aad)